

House Study Bill 714

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE, REGULATION
AND LABOR BILL BY
CHAIRPERSON JENKINS)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to private sector drug testing.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 6462HC 81
4 ec/je/5

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1 1 Section 1. Section 730.5, subsection 1, paragraph b, Code
1 2 Supplement 2005, is amended to read as follows:
1 3 b. "Confirmed positive test result" means, except for
1 4 alcohol testing conducted pursuant to subsection 7, paragraph
1 5 "f", subparagraph (2), the results of a blood, urine, or oral
1 6 fluid test in which the level of controlled substances or
1 7 metabolites in the specimen analyzed meets or exceeds
1 8 nationally accepted standards for determining detectable
1 9 levels of controlled substances as adopted by the federal
1 10 substance abuse and mental health services administration. If
1 11 nationally accepted standards for oral fluid tests have not
1 12 been adopted by the federal substance abuse and mental health
1 13 services administration, the standards for determining
1 14 detectable levels of controlled substances for purposes of
1 15 determining a confirmed positive test result shall be the same
1 16 standard that has been established by the federal food and
1 17 drug administration for the measuring instrument used to
1 18 perform the oral fluid test. In addition, "confirmed positive
1 19 test result" means, for a drug test of a prospective employee,
1 20 the results of a blood, urine, or oral fluid test in which the
1 21 medical review officer determines that the sample tested has
1 22 been altered or diluted.

1 23 EXPLANATION

1 24 The bill provides that the result of a drug test of a
1 25 prospective employee shall be considered a confirmed positive
1 26 test result if a medical review officer can determine that the
1 27 sample tested was altered or diluted.
1 28 LSB 6462HC 81
1 29 ec:nh/je/5